

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Charlottesville Division**

CHRISTOPHER MORGAN, individually)	
and on behalf of a class of persons and)	
entities similarly situated,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 3:17-cv-00085-NKM
)	
U.S. XPRESS, INC.)	
)	
Defendant.)	

CONSENT MOTION TO STAY THE MATTER

Plaintiff Christopher Morgan, by counsel, with the consent of Defendant U.S. Xpress, Inc. (“U.S. Xpress”), by counsel (collectively the “the Parties”), respectfully moves the Court for a brief two week stay of the matter so the Parties can continue settlement negotiations. In support of its motion, Plaintiff states as follows:

1. Plaintiff’s class certification motion is currently due on May 22, 2019. Dkt. 48.
2. In the days leading up to Plaintiff’s deadline for filing a motion for class certification, the Parties engaged in preliminary negotiations regarding a potential resolution of this case.
3. Given these discussions, Plaintiff proposed, and U.S. Xpress agreed to, a brief two week stay of the matter. During this period, the Parties intend to continue their preliminary settlement negotiations to determine if they can resolve the case.
4. Under the Parties’ proposed stay, if they are unable to resolve the matter, Plaintiff’s motion for class certification will be due upon the expiration of the stay, on June 5, 2019.

Thereafter, the Parties will follow the same briefing sequence laid out in the Court's March 25, 2019 Order. Dkt. 48. U.S. Xpress' opposition to class certification would be due on July 5, 2019 and Plaintiff's reply brief would be due on July 19, 2019.¹

5. Good cause exists for this stay. No party will be prejudiced by granting this request.

WHEREFORE, Plaintiff, with U.S. Xpress' consent, respectfully requests the Court grant this Consent Motion to Stay the Matter for a brief two week period so the Parties can continue settlement negotiations. A proposed Order is attached hereto.

Dated: May 22, 2019

Respectfully submitted,

By: /s/
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Counsel for Defendant U.S. Xpress, Inc.

¹ Plaintiff is awaiting a subpoena response from two third parties that Plaintiff believes is necessary for him to bring a motion for class certification. Should the Parties fail to reach a resolution during the stay, Plaintiff reserves the right to seek a continuance in light of the outstanding subpoenas. U.S. Xpress reserves its right to respond to any such request as it deems appropriate.